

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:11cv29**

|  |   |                     |
|--|---|---------------------|
| <b>UNITED STATES OF AMERICA</b>              | ) |                     |
|  | ) |                     |
| <b>Plaintiffs,</b>                           | ) |                     |
|  | ) |                     |
| <b>v.</b>                                    | ) | <b><u>ORDER</u></b> |
|  | ) |                     |
| <b>\$6,357.00 in United States Currency,</b> | ) |                     |
|  | ) |                     |
| <b>Defendant.</b>                            | ) |                     |
|  | ) |                     |

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Previously, the Court denied without prejudice the Government's Motion to Strike Claim. (Order, Oct. 6, 2011.) The Court granted Claimant Robert A. Sellarole one final opportunity to file an answer to the Complaint prior to striking the claim. The Court gave Sellarole until October 19, 2011, to file his answer. In addition the Order stated that:

The Court **INSTRUCTS** Sellarole that the failure to file the answer by October 19, 2011, will result in the Court striking his claim pursuant to Fed. Civ. P. Supp. R. G(8)(c)(i)(A). The Court will not grant Sellarole an extension of time for filing the answer.

(Order at 4-5.)

To date, Sellarole has not complied with the Court's Order and filed an answer. Accordingly, the Court **STRIKES** the claim of Robert. A. Sellarole pursuant to Fed. Civ. P. Supp. R. G(8)(c)(i)(A). The Court **ADVISES** the

Government to file a motion for default judgment in this case.

Signed: October 27, 2011

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

